



Moreover, Petitioner has filed at least five § 2254 habeas petitions, including the one in the instant action, challenging the same 2004 state judgment on the same grounds. See Stroud v. Albermarle Correctional, No. 3:15-cv-00608-FDW (W.D.N.C. dismissed Aug. 25, 2016) (untimely); Stroud v. Clelland, No. 3:16-cv-00677-FDW (W.D.N.C. dismissed Dec. 5, 2016) (failure to prosecute); Stroud v. Hooks, No. 3:17-cv-00174-FDW (W.D.N.C. dismissed Apr. 11, 2017) (unauthorized, successive petition); Stroud v. Stein, No. 3:17-cv-00313-FDW (W.D.N.C. filed June 9, 2017). Petitioner did not obtain authorization from the Fourth Circuit Court of Appeals to file any of his successive § 2254 habeas actions, see 28 U.S.C. § 2244(b)(3)(A), including this one.

The Court finds that Petitioner's practice of filing repetitive, unauthorized habeas petitions is abusive and should not be encouraged by allowing him to file free-of-charge. Consequently, the Court shall deny Petitioner's IFP Motion and order the Clerk of Court to close this action. Petitioner may refile his § 2254 Petition only if he prepays the entire \$5.00 filing fee or obtains authorization from the Fourth Circuit Court of Appeals to file a successive habeas petition.


**IT IS, THEREFORE, ORDERED** that:

1. Petitioner's Motion to Proceed In Forma Pauperis (Doc. No. 2) is **DENIED**;
2. The Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1) is **DISMISSED without prejudice**;
3. The Clerk of Court shall close this action and terminate any outstanding motions;  
and
4. Pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases, the Court declines to issue a certificate of appealability as Petitioner has not made a

substantial showing of a denial of a constitutional right. 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003) (in order to satisfy § 2253(c), a petitioner must demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong); Slack v. McDaniel, 529 U.S. 474, 484 (2000) (holding that when relief is denied on procedural grounds, a petitioner must establish both that the correctness of the dispositive procedural ruling is debatable, and that the petition states a debatably valid claim of the denial of a constitutional right).

**SO ORDERED.**

Signed: July 7, 2017

  
Frank D. Whitney  
Chief United States District Judge

